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**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

In re:

HOPEMAN BROTHERS, INC.,

Debtor.

Case No. 24- 32428-KLP

Chapter 11

**CHUBB INSURERS' MOTION FOR ENTRY OF AN ORDER AUTHORIZING CHUBB
INSURERS TO FILE UNREDACTED VERSIONS OF ITS OBJECTION TO (1) FINAL
APPROVAL OF DISCLOSURE STATEMENT AND (2) CONFIRMATION OF PLAN OF
REORGANIZATION OF HOPEMAN BROTHERS, INC. UNDER CHAPTER 11 OF
THE BANKRUPTCY CODE UNDER SEAL**

Century Indemnity Company, as successor to CCI Insurance Company, as successor to Insurance Company of North America ("Century"), and Westchester Fire Insurance Company (on its own behalf and for policies issued by or novated to Westchester Fire Insurance Company) ("Westchester Fire") (together, the "Chubb Insurers"), parties in interest, by and through their undersigned counsel, hereby file this motion (the "Motion") pursuant to sections 105(a) and 107(b)(1) of title 11 of the United States Code (the "Bankruptcy Code"), Rule 9018 of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules") hereby files this motion (the "Motion") under 11 U.S.C. §§ 105(a) and 107(b)(1), Fed. R. Bankr. P. 9018, and the Order (I) Deeming



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Debtor's Insurance Related Agreements and Other Confidential Documents as Governed by Protective Order; and and the Confidentiality Agreement and Protective Order [Docket Nos. 260 and 225, Ex. B]¹, for entry of an order, substantially in the form attached hereto as Exhibit A (the "Proposed Order"): (i) authorizing the Chubb Insurers to file Chubb Insurers' Objection to (1) Final Approval of Disclosure Statement; and (2) Confirmation of Plan of Reorganization Of Hopeman Brothers, Inc.. Under Chapter 11 of the Bankruptcy Code (the "Chubb Insurers' Objection and Exhibits") under seal; (2) authorizing Chubb Insurers to file a redacted version of the Chubb Insurers' Objection and Exhibits; (3) directing that the unredacted and unsealed Chubb Insurers Objection and Exhibits remain under seal and confidential and not be made available to any entity other than the Court and counsel to the Debtor, counsel to the Unsecured Creditors Committee (the "Committee"), and counsel to the Future Claims Representative; and (4) providing that in the confirmation hearing that the Court may determine at that time whether any portion of the hearing pertaining to the confidential information that is the subject of this Motion be conducted *in camera*.

BASIS FOR RELIEF REQUESTED

1. On September 30, 2024, the Court entered an Order [Dkt. 260] approving a "Confidentiality Agreement and Protective Order" (attached at Dkt. 225) (the "Insurance-Related Protective Order"), which expressly governs the production, review, disclosure, and handling of confidential agreements executed prepetition between Hopeman Brothers, Inc. ("Hopeman") and Hopeman's insurers, including Chubb Insurers, along with any documents and/or correspondence related directly such agreements and designated as "Confidential." *See* Dkt. 260 & 225. Prepetition Hopeman and Chubb Insurers entered into such agreements, including (i) an Agreement

¹ The Order at Dkt. No. 260, incorporated the form of Insurance-Related Protective Order set out in Exhibit B to Dkt. No. 225, which was Debtor's motion.

Concerning Asbestos-Related Claims, dated June 19, 1985 (the “Wellington Agreement”); (ii) a Partial Settlement Agreement between Hopeman Brothers, Inc. and Century Indemnity Company, as successor to CCI Insurance Company, as successor to Insurance Company of North America (the “2008 Agreement”); and (iii) a Settlement Agreement Between Hopeman Brothers, Inc. and Century Indemnity Company, as successor to CCI Insurance Company, as successor to Insurance Company of North America (the “2009 Settlement Agreement”) (collectively, the “Chubb Confidential Agreements”), which contain confidential terms and provisions and are subject to the Insurance-Related Protective Order.

2. The Insurance-Related Protective Order requires that any Protected Material be filed under seal. See Dkt. 225, Ex. B at § 4.3 (“A Party may not file in the public record any Protected Material. A Party that seeks to file any Protected Material with the Bankruptcy Court must file such Protected Material under seal in accordance with the Federal Rules of Civil Procedure, the Federal Rules of Bankruptcy Rules, the Local Rules of the United States Bankruptcy Court for the Eastern District of Virginia, and the individual practice rules of the Bankruptcy Court.”).

3. Chubb Insurers’ Objection quotes relevant provisions from the Chubb Confidential Agreements, which will be attached to the Objection and are considered “Protected Material” under the Insurance-Related Protective Order. Thus, consistent with the requirements in the Insurance-Related Protective Order, Chubb Insurers’ respectfully seek permission to file the unredacted Chubb Insurers’ Objection and Exhibits and the Chubb Confidential Agreements under seal and to file a redacted version of the Objection. See Dkt. 225, Ex. B at § 4.3.

4. Contemporaneously with this Motion, Chubb Insurers will file the redacted Chubb Insurers' Objection and Exhibits with this Court and send the unredacted Chubb Insurers' Objection and Exhibits and Chubb Confidential Agreements to this Court's chambers.

5. Sufficient cause exists for this Court to grant the relief requested in this Motion. As explained above, the Chubb Insurers' Objection and Exhibits quote and attach the Chubb Confidential Agreements, which is designated as Protected Material under the Insurance-Related Protective Order. The Chubb Insurers' Objection and Exhibits thus must be filed with redactions and the Chubb Confidential Agreements must be filed under seal.

NOTICE

6. Notice of this Motion will be given pursuant to Local Rule 1075-1 and the procedures set forth in Article II of the "Procedures for Complex Cases in the Eastern District of Virginia." Chubb Insurers submit that, in light of the nature of the relief requested, no further notice need be given.

NO PREVIOUS REQUEST

7. No previous request for the relief sought herein has been made by Chubb Insurers to this or any court.

WHEREFORE, Chubb Insurers respectfully request that the Court enter the Proposed Order granting the relief requested herein.

Dated: July 7, 2025

By: /s/ Dabney J. Carr
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*Counsel for Century Indemnity Company and
Westchester Fire Insurance Company*

CERTIFICATE OF SERVICE

I hereby certify that, on the date indicated below, I caused the foregoing to be electronically filed via the Court's Case Management/Electronic Case Filing System and thereby served upon all counsel or parties of record.

Dated: July 7, 2025

/s/ Dabney J. Carr
Dabney J. Carr

Exhibit A

Proposed Order

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**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
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In re:

HOPEMAN BROTHERS, INC.,

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Chapter 11

**ORDER GRANTING CHUBB INSURERS' MOTION FOR ENTRY OF AN ORDER
AUTHORIZING CHUBB INSURERS TO FILE UNREDACTED VERSIONS OF ITS
OBJECTION TO (1) FINAL APPROVAL OF DISCLOSURE STATEMENT AND (2)
CONFIRMATION OF PLAN OF REORGANIZATION OF HOPEMAN BROTHERS,
INC. UNDER CHAPTER 11 OF THE BANKRUPTCY CODE UNDER SEAL**

Upon the motion (the "Motion"²) of Century Indemnity Company, as successor to CCI Insurance Company, as successor to Insurance Company of North America ("Century"), and Westchester Fire Insurance Company (on its own behalf and for policies issued by or novated to Westchester Fire Insurance Company) ("Westchester Fire") (together, the "Chubb Insurers") for entry of an order, under 11 U.S.C. §§ 105(a) and 107(b)(1), Fed. R. Bankr. P. 9018, and the Insurance-Related Protective Order, for entry of an order (i) authorizing the Chubb Insurers to file

² Capitalized terms used but not otherwise defined in this Order have the meaning ascribed to them in the Motion.

Chubb Insurers' Objection to (1) Final Approval of Disclosure Statement; and (2) Confirmation of Plan of Reorganization Of Hopeman Brothers, Inc.. Under Chapter 11 of the Bankruptcy Code (the "Chubb Insurers' Objection and Exhibits") under seal; (2) authorizing Chubb Insurers to file a redacted version of the Chubb Insurers' Objection and Exhibits; (3) directing that the unredacted and unsealed Chubb Insurers Objection and Exhibits remain under seal and confidential and not be made available to any entity other than the Court and counsel to the Debtor, counsel to the Committee, and counsel to the Future Claims Representative; and (4) providing that in the confirmation hearing that the Court may determine at that time whether any portion of the hearing pertaining to the confidential information that is the subject of this Motion be conducted *in camera*; and the Court having found that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2), and that the Court may enter a final order consistent with Article III of the United States Constitution; and the Court having found that the venue of this proceeding and the Motion is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and the Court having found that the relief requested in the Motion is in the best interests of the parties in interest; and the Court having found that Chubb Insurers' notice of the Motion was appropriate under the circumstances, and no other notice need be provided; and the Court having reviewed and considered the Motion; and the Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor;

IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED, as set forth in this Order.
2. Chubb Insurers are authorized to file the unredacted Chubb Insurers' Objection and Exhibits, including the Chubb Confidential Agreements, under seal, which seal shall be maintained under 11 U.S.C. 107(c).

3. Chubb Insurers are authorized to publicly file the Chubb Insurers' Objection and Exhibits with redactions, contemporaneously with the transmittal of the unredacted Chubb Insurers' Objection and Exhibits to this Court's chambers.

4. The unredacted and unsealed Chubb Insurers' Objection and Exhibits shall not be disseminated to anyone other than the Court, counsel to the Debtors, counsel to the Committee, and counsel to the Future Claims Representative.

5. Any party receiving an unredacted copy of the Chubb Insurers' Objection and Exhibits shall, at all times, keep the information contained therein strictly confidential and shall not disclose such information to any party whatsoever.

6. The terms and conditions of this Order shall be effective immediately and enforceable upon its entry.

7. The requirement under Local Rule 9013-1(G) to file a memorandum of law in connection with the Motion is hereby waived to the extent applicable.

8. This Court shall retain jurisdiction with respect to all matters arising out of or related to the interpretation or enforcement of this Order.

Dated: _____, 2025
Richmond, Virginia

UNITED STATES BANKRUPTCY JUDGE

Entered on Docket: _____

WE ASK FOR THIS:

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*Counsel for Century Indemnity Company and
Westchester Fire Insurance Company*

**CERTIFICATION OF ENDORSEMENT
UNDER LOCAL BANKRUPTCY RULE 9022-1(C)**

I hereby certify that the foregoing proposed order has been endorsed by or served upon all necessary parties.

/s/Dabney J. Carr